

himself. The taleman didn't know him under this or any other alias. He assured Mr. McIntyre that he had never been in trouble with the police.

Mr. McIntyre then asked the man and bearing of the cemetery man so well that he held a brief conference over him with Becker. The defendant got his lawyer to ask McIntyre if he knew the special policeman named Wood. McIntyre knew him, but did not know if the man was assigned there by Inspector Nat Schmittberger.

MCINTYRE REFUSES TO HAVE HIM

Evidently any one who had ever had anything to do with Schmittberger was a persona non grata with the defense. Because McIntyre knew that Wood was an intimate friend of Assistant District Attorney Marshall, and also that he had formed a strong opinion as to the guilt of innocence as accused when Mr. McIntyre brought out that he would require strong proof to con-

vince him of the innocence of the accused.

Wilfred G. Johnston of No. 102 Jackson avenue, the Bronx, was the fifth taleman called. This young man also suffered from an opinion based on the reading of newspapers. Mr. Whitman was willing to have him, opinion or no opinion. Mr. McIntyre interposed a challenge for actual bias, overruled. Then Mr. McIntyre challenged for implied bias; likewise overruled. McIntyre refused to have proper qualifications to serve as a juror. The Court would not let the challenge stand and the defense was compelled to use the second of its allowance of thirty per century challenges.

The sixth taleman, John P. McCarty of No. 540 West One Hundred and Fifty-fifth street, an insurance agent, was also challenged by McIntyre. As the taleman assured Justice Goff that if sworn as a juror he would not permit his opinion to sway his judgment, the bias challenge was overruled and it required another of Mr. McIntyre's preemptory challenges to get rid of him.

Samuel L. Schulhafer of No. 43 East One Hundred and Forty-first street, employed by a big clothing concern, had read a lot about the Becker trial and had a near-conviction of the accused. Former Assistant District Attorney Lloyd Snyder relieved Mr. McIntyre of the job of grilling taleman.

ZELIG "MARKED FOR DEATH" AS RESULT OF FEUD

Assassination of East Side Bully Had Long Been Decried.

FIXED MONTHS AGO.

When Man Who Shot Zelig Was Sentenced Gunman's Fate Was Settled.

(Continued from First Page.)

haired Judge in his customary faint and gentle tone.

"I don't care who you are—get back," retorted the policeman, laying his big fat on his Honor's chest.

Justice Goff's pink cheeks flushed a fiery red and he was on the point of making a few caustic remarks, when Emmet King, one of Mr. Whitman's men, intervened and revealed who was who. The officious officer made a desperate effort to sink out of sight, burbling his apologies.

SPECIAL GRAND JURY OF 21 MEMBERS.

District Attorney Whitman and Justice Goff at noon completed their task of selecting an extraordinary Grand Jury to probe graft in connection with the Rosenthal case. They were compelled, however, to swear in a Grand Jury of twenty-one members instead of the usual quota of twenty-three. This was due to the fact that only thirty-eight of the panel of fifty came to court. The twenty-first man selected was a man of the name of "Big Jack" who was a close friend of the late John F. McIntyre, chief of the second Lieutenant's counsel, was equally emphatic in declaring that the murder had established an important witness for the defense. Zelig, said McIntyre, would have sworn that Becker had never mentioned to him the date to leave the island and to death. Zelig would also have sworn that "Lefty Louis" and "Gyp the Blood" were establishing an alibi.

HE'S OFF AGAIN!

Big Bull Moose Starts on a Bump Through Mid-West.

Theodore Roosevelt, making Bull Moose medicine, started on a seventeen-day trip through the North and Middle West from the Grand Central station this morning.

"I feel like a winner," he said when the reporters had tracked him down after he had stealthily worked his way into the train shed by a baggage entrance.

"Do the truth tellers, Rede and Harlan, was asked, better run any way by the way they follow you around?"

"The truth is always with me," chuckled the Colonel.

Still chuckling he flapped his hands at everybody and climbed aboard as the train was moving out.

INSPECTOR HUGHES, BACK ON DUTY, IS ASSIGNED TO AN OUTLYING POST.

Inspector Edward P. Hughes returned to duty to-day after a severe illness which began last August with pneumonia poisoning and was followed later by pleuro-pneumonia contracted in the mountains up the State while he was commanding of the Detective Bureau searching for "Lefty Louis" and "Gyp the Blood."

Hughes was assigned to the Sixteenth Precinct Division with headquarters in the Parkville Police Station in Brooklyn. This post is a temporary one until the return of Inspector Stephen O'Brien, who is on leave of absence. Inspector Hughes will go after O'Brien's return is at present unknown in the department. It was stated that Hughes was assigned to this temporary post because it was an easy one and he is still weak from his illness.

OPPOSES DEATH PENALTY, BUT IS ACCEPTED AS JUROR.

George W. Bruere, highbrow writer, friend of Theodore Roosevelt, poet, socialist and student, living at No. 215 Washington Square South, was a taleman before Judge Rosales in General Sessions to-day when James Green was called to trial for the murder of James Rooney at Third avenue and Thirty-third street Feb. 11 last. Mr. Bruere told Mr. Nott, Assistant District Attorney, that he was opposed to the death penalty.

"Declining the death penalty on a murderer," he said, "is no more than inflicting the death penalty on a bird or an animal used in a laboratory experiment. The death may serve a good purpose and it may not."

"Do you know that the death penalty has been part of the law of New York since the beginning?" asked Mr. Nott.

Mr. Bruere did not seem interested.

"Would you violate your oath as a citizen and render a verdict contrary to the evidence because you disliked the penalty to follow a conviction?" asked Judge Rosales.

"I take an oath," said Mr. Bruere, "I shall stand by it."

He was accepted as a juror.

LOUISVILLE WINNERS.

FIRST RACE—For three-year-olds and over at farlances—Merry Lad, 113 (Lofthouse, 5); Cohort, 106 (Windsfield); Second, Tonia's Nightmare, 90 (Callahan); third, Time, 113-2-3; Pettie Sue, Lacklown, Coperton also ran. Two dollar mutuels paid: Merry Lad, \$2.50 win, \$4 place, \$2.40 show; Cohort, \$2.50 place, \$2.30 show; Tonia's Nightmare, \$2.50 show.

Gangsters Are Barred Out Of Court as Trial Opens

With the corridors of the Criminal Courts Building swarming with swarms of gangsters and a squad of uniformed policemen fighting back a clamorous mob of curious men and women from the doors of the Criminal Branch of the Supreme Court, Lieutenant of Police Charles Becker was called to the bar to-day to be tried for the murder of Herman Rosenthal on the morning of July 16 last.

The actual proceedings were delayed several hours while Justice Goff selected a Special Grand Jury which is to conduct a side investigation of the Rosenthal case during the progress of the Becker trial. This means that the "independent" jury which is to be investigated simultaneously in the trial room and the Grand Jury room. Nothing of the sort has ever been attempted in this country, but never before was a New York police officer tried for ordering and planning the murder of a man who had been threatened to expose the law-breaking methods of official vice hunters.

POSSIBLE EFFECT OF ZELIG'S MURDER ON BECKER CASE.

As the various forces who are to conduct the prosecution and handle the defense of Becker began to assemble in Justice Goff's court room a wide variance of opinion was expressed concerning what effect gangster Zelig's murder might have upon Becker's chances to escape the death chair. Mr. Whitman charged that the slaying of "Big Jack" was a blow to the popular cause. John F. McIntyre, chief of the second Lieutenant's counsel, was equally emphatic in declaring that the murder had established an important witness for the defense. Zelig, said McIntyre, would have sworn that Becker had never mentioned to him the date to leave the island and to death. Zelig would also have sworn that "Lefty Louis" and "Gyp the Blood" were establishing an alibi.

The District Attorney's idea of the Zelig tragedy was precisely opposite the McIntyre view on all points.

By the time Justice Goff finally opened court Captain Tierney of the Eleventh Precinct Division, who was ready of the Tombs Court Squad had hedged back the struggling throng who fought to gain admission to the trial room. A dozen uniformed men presented a barrier to block the rush, and half a dozen more men kept the crowds on the derry and forced them back into the Centre street steps.

GANGSTERS ON HAND FROM EVERY SECTION.

The gangs of every quarter of Greater New York had been called to court in the Criminal Courts Building several hours before the time set for the opening of the legal battle for Becker's life. There were scores of thick-necked and flat-nosed ruffians of the "Dago Frank" type gliding through the dingy corridors or slipping in silent groups into empty courtrooms where Capt. Tierney and his men arrived. A few plainclothesmen were detailed to shoot those undesirable out of the building and if only needed a graft whinger to see them.

Of course, there was a sprinkling of the better dressed and more respectable appearing gentlemen who did not mind being in the courtroom as long as they remained aloof from the portals of the court-room. No person without special authority got within a dozen yards of the entrance, and as an example of how strictly the police guards were obeying Justice Goff, McIntyre said had to give the counterpane and prove his identity before he could get to his court-room.

NEW POLICEMAN HOLDS UP JUSTICE GOFF.

The Judge was held up at the foot of the stairway leading up to his chambers by a brand new policeman from Elizabeth street station.

"Sorry," said the big youngster in uniform, "but you can't go up. Orders are to keep the floor clear of everybody."

"But I am Mr. Goff," said the white-

Presto Flour

The "second helping" becomes a family habit when you serve biscuits, muffins, rolls or pastry made with Presto Flour.

Your results are sure—your labor is lessened—your baking is better when you use Presto Flour. It rains at once. Makes everything light as the lightest.

A word to your grocer will bring you a package quickly. Recipes in and on each package.

The H-O Company, Buffalo, N.Y. Makers of H-O Force and Presto.

with the killing of Herman Rosenthal. Recently thousands of tickets were sold on the East Side and in the Tenderloin for a ball advertised to be given on Oct. 8 at Stuyvesant Casino for the benefit of one Harry Lewis. No such ball was given and the ticket money is supposed to have been set aside by Zelig for the defense fund of the quartette in the Tombs. The practice of giving fake balls and holding up merchants for the price of tickets was common and continuous with Zelig.

Friday night and at various times on Saturday, "Red Phil" who was either very drunk or pretending to be very drunk, met Zelig, demanded money and insisted that he knew Zelig had a lot of money. There is considerable talk about five \$100 bills which are said to have been passed to Zelig in Segal's cafe a short time before he was killed.

This report is being investigated. The man who is said to have handed Zelig the money has not been found. He is said to be close to a big east side politician, and the money is declared to have been passed to Zelig as advance expenses for horses of election repeaters who have been colonized in the Bowery and other east side lodging houses. At any rate the \$500 was not in Zelig's pockets when he died from the effect of "Red Phil's" bullet, and the investigation has not only where the money came from, but who became of it.

Deputy Police Commissioner Dougherty, who has been working on the east side it is believed that "Red Phil" was selected for the job of killing Zelig and went about the job deliberately and with premeditation. Do not Zelig at least a dozen times between Friday night and Sunday night, but each time Zelig was accompanied by Eddie Taylor or Nathan Levy or "Little Billy," the members of his bodyguard. "Little Billy" left Zelig Saturday night and two minutes later "Red Phil" shot Zelig.

Within ten minutes after Zelig was shot at Fourteenth street and Second avenue the news was down at Rivington and Allen streets. Witnesses have been found who heard a member of the Rivington street gang say:

"Well, the red jew has got him at last."

TO PROTECT "RED PHIL" FROM THE GUNWOMEN.

Coroner Holtzhauser has set the preliminary examination into the shooting for Wednesday morning at 10 o'clock. In view of threats put in the mouth of Zelig's wife and published in the newspapers extra precautions will be taken to protect the man who killed Zelig from east side women.

"I am advised that there are gunwomen as well as gunmen on the east side," said the Coroner. "I am told that the way the gangsters often covered their tracks was to pass their weapons to their wives and they could secrete them in their clothing."

"The police allege that after the shooting of Julie Morrell by five members of the Zelig gang their revolvers were carried out of the place in the handbag of a woman. These women companions of the gangsters are said to have become very proficient in the use of firearms, and I am going to see that some of these women have opportunity to carry out their threats."

WIFE AND BANDIT'S PARENTS FOUGHT OVER BODY.

Zelig married a Christian girl named Henrietta Young. The Jewish funeral services were held against her wishes. There was a family argument over the matter yesterday afternoon, the parents of the dead bandit insisting that he be buried according to the rites of the religion in which he was born. Their argument prevailed.

Out of consideration for his parents

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Phil's" associates.

This Rivington street gang had sworn to kill Zelig. The same oath of vengeance had been taken by members of the Chick Tricker gang. Chick Tricker, now awaiting trial on a charge of carrying a revolver, having been forced out of the saloon business last June by Zelig.

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Wife of the Police Official Who Is Charged With Murder

(Specially Posed To-Day at the Criminal Courts Building.)



MRS. CHARLES BECKER.

up men waiting for anything that might turn.

Gradually the police detail in front of the house was increased until at noon twenty-five officers in uniform and a dozen plain clothes men were on the block. It became necessary to establish lines such as are maintained about the scene of a fire or street traffic could not have proceeded in any direction.

Only a few persons were admitted to the flat in which the body of the young gang leader lay. His father and mother and his widow were there, as were several professional mourners, who went through the ceremony of rending their garments and shrilling their lamentations. In accordance with the orthodox law the body was in a plain pine box covered with a black shroud.

Habib Adorf, Special of the Sheriff Zelig Synagogue at No. 25 West One Hundred and Eighteenth street conducted the simple funeral services, assisted by twelve men. The service brought out the fact that Zelig's right name was Zelig Albert and that he was twenty-four years old. During the services in the house a great clatter of carriage wheels was heard as the funeral cortege moved north to Delancey street. The various religious and organizations of which Zelig and his gang were members sent carriages as a mark of respect. Zelig's right name was Sam Paul, head of the Sam Paul Association, who also sent carriages to the funeral of Herman Rosenthal.

POLICE LEAD THE WAY ACROSS THE BRIDGE.

With a squad of policemen in uniform forcing a way through the hordes of people, the hearse made slow progress through Broome street to Eldridge street and thence north to Delancey street. It was hard work to get the carriages following the hearse into line until the broad Plaza of Delancey street was reached and the funeral cortege was headed for the Williamsburg Bridge. A police escort from Manhattan accompanied the corpse and the mourners across the bridge, and at the Williamsburg side a special squad of officers was waiting to continue the escort to the cemetery.

The police detail was not alone in escorting the funeral cortege on either side of the river. Flanking the hearse were lines of young men, all known to the police who lined the route of the procession, and these young men, as a mark of respect, wore wide mourning bands on their sleeves. Scores of these mourning bands were distributed in Broome street just before the coffin was placed in the hearse.

The escort of youths wearing mourning bands was composed of members of the Jack Zelig Association. In accordance with gang custom one of these men must kill someone to become a member of the association. The murder of Zelig was in and out of the funeral procession observed carefully all those wearing mourning and marching with solemn mien alongside the hearse, for there may come the news to Headquarters at any hour of another east side murder, and if that should happen the first work of Headquarters men will be to round up all those who put on mourning bands for Jack Zelig.

It is the District Attorney's secret just what Zelig would have testified to in the Becker murder trial, but he was regarded as one of the most important witnesses. Zelig's wife, his lawyer, dearest friend, his mother, his father, the Rosenthals' murder and did not furnish the gunmen, but it is understood that he would at least have testified that Rose and Vallon came to him with a demand that he furnish men to do Becker a favor. He would have corroborated the gangsters on a number of important points, though it is not believed he would have admitted any advance knowledge of the Rosenthal murder.

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"Tombs Prison, New York City: New York City, Oct. 5, 1912.

"Dear Pal Gyp: Yours received and was more than pleased to hear from you. I want you and the boys to keep me up to me, as it cheers me up, and you can imagine how I feel when I hear from you boys. Gyp, keep cheering up, and keep cheering on other up. Your innocence will be proven and what a grand time we will have on that day. Gyp, you tell Frank to take that Dago idea out of his mind as he will listen to you as you know one another better than I do. Somebody has been telling him that I don't give a damn for him because he's a dago. Well, old pal, I want to hear from you often. It seems to be the hardest thing in the world to get your wife out. Know one wants to go on the bond. Cheer up, old boy, everything will turn up for the best. Your pal till the end.

"Best wishes to the boys. JACK."

Zelig always insisted to the police that his name was Harry Morris. It was under this name that he was sent to the House of Refuge as a lad. He never lived with his parents after his release from the House of Refuge, when he renounced the name of Zelig Albert, took the name of Jack Zelig and began the career that ended in his assassination. Despite the fact that his respectable and grief-stricken parents came over from their home in New Jersey and claimed Zelig's body some Headquarters detectives insist that Zelig's father was a tailor named Morris who disappeared from his home in East Houston street years ago and had never been seen since.

It was not natural that the funeral of Jack Zelig should temporarily suspend all business on the East Side. Any funeral causes street congestion in that neighborhood. The passing from the scenes of his adventures of Jack Zelig, whose reputation as an outlaw spread from Fourteenth street to Chatham Square and from Corlears Hook to the Bowery was more than a mere funeral—it was an event.

For the death of Jack Zelig had a personal interest to nearly every resident of the East Side. Coward and bully that he was he was a hero to the gangsters, thieves and petty criminals who infest the East Side cafes and saucy joints. To the business people he was a menace and a terror and to the great respectable element on the East Side he was a source of sorrow, for his widespread activities in crime were recognized as a detriment to the advancement and good name of the Jewish people.

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